

Appln. Serial No.: 10/687,014

Amendment and Request for Continued Examination dated June 30, 2006

Remarks

The Office Action of January 30, 2006 has been carefully reviewed and this paper is responsive thereto. In the Examiner's action, claims 1 – 8 were rejected under 35 U.S.C. §103(a). With this response, Applicant submits amended claim 1 to more particularly point out and distinctly claim the subject matter of the invention. No new matter is introduced into the application by this amendment. Claim 8 is cancelled.

The Applicant believes that the following remarks address the grounds for rejection and objection. Other references of record have been noted, but none is believed to be pertinent to the Applicant's invention as now claimed. In light of these amendments and remarks, the Applicant respectfully requests reconsideration of the application, withdrawal of the rejections and allowance of all pending claims.

Rejection Under 35 U.S.C. § 103(a) – Bower in View of MacMurray

Claims 1 – 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 2,767,113 issued to Bower ("Bower") in view of U.S. Pat. No. 3,290,854 issued to MacMurray ("MacMurray"). In reply, Applicant has amended claim 1 to more particular point out and distinctly claim the subject matter of the invention over the cited prior art and submits the following remarks. Claim 8 has been cancelled.

MacMurray states that "the low coefficient of friction of the plastic material causes the tie to slip apart. Consequently, the tie must be tightly twisted a great many times usually resulting in the breaking down the plastic and cause the wire to either strip away from the plastic or break under excess tension." MacMurray, Col. 1, ll.62 – 67. MacMurray resolves this problem by adding a structural feature – serrated edges – to mechanically interlock the wire strands.

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MacMurray, Col. 2, ll. 64 – 69. In contrast, the claimed invention modifies the coefficient of friction of the wire with a frictional-type textured surface.

The Applicant's October 31, 2005 Response argued that neither Bower nor MacMurray disclose, teach, or suggest a wire tie with claimed structural features of a frictional-type textured surface which prevents slippage, thus failing to disclose, teach, or suggest all the claim limitations of the present invention. The Examiner disagreed, noting in the Final Office Action that, "the claims are not limited to a frictional textured surface, which prevents slippage." January 30, 2006 Final Office Action, p. 4. Accordingly, independent claim 1 has been amended to require a frictional textured surface, which reduces slippage.

In view of the above, reconsideration and allowance of the pending claims are respectfully requested.

Conclusion

Applicant has addressed all rejections and respectfully submits that the instant application is in condition for allowance.

Respectfully submitted,

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